

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PLANT PATENT APPLICATION
(35 U.S.C. § 161)**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original and first inventor of the new and distinct variety of:

ECHINACEA

plant named:

'ART'S PRIDE'

which is claimed and for which a plant patent is sought, the specification of which (check only one item below):

- ☒ is attached hereto, and was amended on _____ (if applicable).
☐ was filed as United States Application Number _____
on _____
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim, as amended by any amendment referred to above;

I have asexually reproduced the plant to which this application applies.

☐ Said plant was found in a cultivated area (check this box for newly found plant only)

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §§119(a)-(d) or (f), or 365(a)-(b):			
COUNTRY (if PCT, Indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (MM/DD/YYYY)	PRIORITY CLAIMED UNDER 35 U.S.C. §§119 OR 365
European Community	Not Available	21 August 2003	YES_ NO <u>X</u>
Canada	Not Available	04 September 2003	YES_ NO <u>X</u>
Japan	Not Available	(in process)	YES_ NO <u>X</u>
New Zealand	Not Available	(in process)	YES_ NO <u>X</u>
			YES_ NO_
			YES_ NO_
			YES_ NO_
			YES_ NO_

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

Robert S. Swecker	19,885	William C. Rowland	30,888	Kenneth B. Leffler	36,075
Platon N. Mandros	22,124	T. Gene Dillahunt	25,423	Fred W. Hathaway	32,236
Benton S. Duffett, Jr.	22,030	Patrick C. Keane	32,858	Wendi L. Weinstein	34,456
Norman H. Stepno	22,716	B. Jefferson Boggs, Jr.	32,344	Mary Ann Dillahunt	34,576
Ronald L. Grudziecki	24,970	William H. Benz	25,952	Donna M. Meuth	36,607
Alan E. Kopecki	25,813	Peter K. Skiff	31,917	Mark R. Kresloff	42,766
Regis E. Slutter	26,999	Richard J. McGrath	29,195	Nhat D. Phan	39,581
Samuel C. Miller, III	27,360	Matthew L. Schneider	32,814	Claude A.S. Hamrick	22,586
Robert G. Mukai	28,531	Michael G. Savage	32,596		
George A. Hovanec, Jr.	28,223	Charles F. Wieland III	33,096		
James A. LaBarre	28,632	Bruce T. Wieder	33,815		
E. Joseph Gess	28,510	Todd R. Walters	34,040		
R. Danny Huntington	27,903	Ronni S. Jillions	31,979		
Eric H. Weisblatt	30,505	Harold R. Brown III	36,341		
James W. Peterson	26,057	Allen R. Baum	36,086		
Teresa Stanek Rea	30,427	Brian P. O'Shaughnessy	32,747		

All practitioners associated with
Customer No. **2 1 8 3 9**

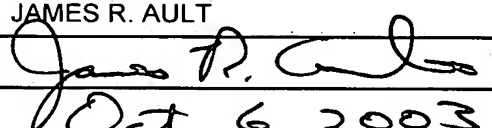
and: none

Address all correspondence to:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
CUSTOMER NUMBER **2 1 8 3 9**
P.O. Box 1404
Alexandria, Virginia 22313-1404

Address all telephone calls to: Benton S. Duffett, Jr. at (703) 836-6620

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or First Inventor	JAMES R. AULT
Signature	
Date	Oct. 6, 2003
Residence (City, State, Country)	Glencoe, Illinois
Citizenship	U.S.A.
Post Office Address	c/o Chicago Botanic Garden, 1000 Lake Cook Road, Glencoe, Illinois 60022
Full Name of Second Joint Inventor, If Any	
Signature	
Date	
Residence (City, State, Country)	
Citizenship	
Post Office Address	